

Notice of Allowability**Application No.**

10/750,020

Examiner

PARAS SHAH

Applicant(s)

THALANANY ET AL.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/16/2009.
2. ☒ The allowed claim(s) is/are 1,2,4-7,9,13,15-18,21,23-27,29,33,35-37,41 and 44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/P. S./
Examiner, Art Unit 2626

DETAILED ACTION

1. This communication is in response to the Application filed on 04/16/2009. Claims 1, 2, 4-7, 9, 13, 15-18, 21, 23-27, 29, 33, 35-37, 41, 44 remain pending and have been examined. This Application is in condition for Allowance.
2. All previous objections and rejections directed to the Applicant's disclosure and claims not discussed in this Office Action have been withdrawn by the Examiner.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dimitry Kapmar on 05/12/2009.

The application has been amended as follows (Bolded portions changes or additions):

Claims: **Replace Claim 1 from "** In a half-duplex cellular communication system, a method for talker arbitration, comprising: receiving speech energy levels corresponding respectively to a current talker and a prospective talker in a half-duplex cellular communication session, said current and prospective talkers automatically requesting floor control by commencing speech; receiving dynamic priority levels corresponding respectively to said current and prospective talkers; selecting said prospective talker based on comparing said speech energy level of said prospective

talker to said speech energy level of said current talker by weighting said speech energy levels by said corresponding dynamic priority levels; and granting said selected prospective talker floor control of said half-duplex cellular communication session; wherein the dynamic priority level for each talker is inversely proportional to a number of times said talker has been granted floor control and independent from a number of times other talkers have been granted floor control." **To** "In a half-duplex cellular communication system, a method for talker arbitration, comprising: receiving speech energy levels corresponding respectively to a current talker and a prospective talker in a half-duplex cellular communication session, said current and prospective talkers automatically requesting floor control by commencing speech, **said current talker having floor control**; receiving dynamic priority levels corresponding respectively to said current and prospective talkers; selecting said prospective talker based on comparing said speech energy level of said prospective talker to said speech energy level of said current talker by weighting said speech energy levels by said corresponding dynamic priority levels; **wherein said step of selecting further comprises selecting said prospective talker if said weighted speech energy level of said prospective talker is higher than said weighted speech energy level of said current talker**; and granting said selected prospective talker floor control of said half-duplex cellular communication session; wherein the dynamic priority level for each talker is inversely proportional to a number of times said talker has been granted floor control and independent from a number of times other talkers have been granted floor control.

Cancel Claim 2

Allowable Subject Matter

4. Claims 1,2,4-7,9,13,15-18,21,23-27,29,33,35-37,41 and 44 are allowed.
5. The following is an examiner's statement of reasons for allowance:

The closest prior arts of record: Rigstad et al. receiving a speech energy levels of a current talker and a prospective talker in a half-duplex communication session (see col. 10, lines 6-11, half-duplex switching) said current prospective talkers automatically requesting floor control by commencing speech (see col. 10, lines 5-9, voice information generated by remote party is decided); selecting said prospective talker based on said speech energy level of said prospective talker in comparison to said speech energy level of said current talker (see col. 10, lines 9-11). However, Rigstad does not specifically disclose the weighting of the speech energy level with a dynamic priority level and the dynamic priority level being inversely proportional to a number of times said talker has been granted floor control and independent from a number of times other talkers have been granted floor control.

Prasad et al. does teach the weighting of speech energy levels by corresponding window weights (see page 25, left column, 2nd full paragraph, and equation 5). However, Prasad does not specifically teach the dynamic priority level being inversely proportional to a number of times said talker has been granted floor control and independent from a number of times other talkers have been granted floor control.

Dorenbosch *et al.* teaches the use of the dynamic priority level for each talker is inversely proportional to a number of times said talker has been granted floor control, (see [0049], round robin algorithm for granting floor is used) and the use of a cellular communication (see [0016], cellular telephone in a wireless network). However, Dorenbosch does not specifically teach the dynamic priority level being independent from a number of times other talkers have been granted floor control.

Hence, none of the prior art of record, alone or in combination in combination thereof, teach or suggest the dynamic level, which is **weighted** with speech energy levels, and this dynamic priority level is defined to be inversely proportional to a number of times said talker has been granted floor control **and** independent from a number of times other talkers have been granted floor control.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nachum (US 2008/0316944) is cited to disclose identification of participants for a conference call.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PARAS SHAH whose telephone number is (571)270-1650. The examiner can normally be reached on MON.-THURS. 7:00a.m.-4:00p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571)272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David R Hudspeth/
Supervisory Patent Examiner, Art Unit 2626

/P. S./
Examiner, Art Unit 2626

05/12/2009